DOCUMENT RESUME

ED 446 659 HE 033 511

TITLE	Responding to Hate Crimes and Bias-Motivated Incidents on College/University Campuses.
INSTITUTION	Department of Justice, Washington, DC. Community Relations Service.
PUB DATE	2000-05-00
NOTE	28p.
PUB TYPE	Guides - Non-Classroom (055)
EDRS PRICE	MF01/PC02 Plus Postage.
DESCRIPTORS	Civil Rights; *Crime Prevention; Higher Education; *Law Enforcement; News Reporting; *School Community Relationship; *School Security; *Social Bias
IDENTIFIERS	*Community Relations Service; Criminal Investigations; *Hate Crime; Incident Reporting; School Crime; Victim Assistance

ABSTRACT

The Community Relations Service (CRS), an arm of the U.S. Department of Justice, brought together representatives from college campus law enforcement, college administrators, students, academicians, and civil rights organizations to discuss how different campuses are handling hate crimes in areas including crime investigation, victim assistance, media relations, and community healing. This guide, a product of those discussions, highlights case studies and some of the best practices regarding these hateful acts. A hate crime is generally defined as a crime which is motivated by the offender's bias toward the victim's race, color, religion, national origin, sexual orientation, gender, or disability. Universities should have a hate crime policy and procedural administration and law enforcement protocol in place, and they should cooperate with the CRS to provide mediation and reconciliation services. Reporting procedures should be established to make reporting as easy as possible, including the possibility of accepting confidential reports. Support should be made available to all victims of an incident whether they were directly or indirectly involved. A media policy should also be in place to allow the university to provide accurate and timely information about the episode to the community. Finally, campuses should remember that they are part of the broader community in which they are located. They should unite with other local colleges and their community neighbors against intolerance. Listings of National Civil Rights Organizations with hate crime resources and CRS headquarters, regional and field offices are included. (EMS)

Reproductions supplied by EDRS are the best that can be made
from the original document.

ED 446 659

U.S. Department of Justice

Community Relations Service

Responding to Hate Crimes and Bias-Motivated Incidents on College/University Campuses

May 2000

BEST COPY AVAILABLE

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☐ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

Director's Message

Based on our work experience, there is no place where hate crimes are occurring with increasing frequency, more visibility and hostility, than in institutions of higher education. In the course of our casework, we searched the nation for expertise on the fallout from these incidents, and finding very few resources, decided that it would be beneficial to create a guide for systematic response to these terrible, hateful acts.

We created this guide by bringing together a cross-section of representatives from college campus law enforcement, college administrators, students, academicians and civil rights organizations from all across the nation. This focus group discussed how different campuses are handling hate crimes on topics including crime investigation, victim assistance, media relations and community healing. These discussions created this guide containing case studies and highlights of some of the best practices regarding this issue. We hope that this guide and CRS will continue to be a helpful resource.

Rose Ochi
Director
Community Relations Service

Introduction

The Community Relations Service (CRS), an arm of the U.S. Department of Justice, is a specialized Federal conciliation service available to State and local officials to help resolve and prevent racial and ethnic conflict. CRS offers its services to governors, mayors, police chiefs and school officials in their efforts to defuse racial crises. CRS assists local officials and residents design locally defined resolutions when conflict and violence threaten community stability and well-being. As directed by the Civil Rights Act of 1964, CRS conciliators use specialized crisis management and violence reduction techniques to provide assistance in identifying the sources of conflict and violence and creating a more cohesive community environment. CRS has no law enforcement authority and does not impose solutions, investigate or prosecute cases, or assign blame or fault. However, CRS conciliators are required by law to conduct their activities in confidence, without publicity, and are prohibited from disclosing confidential information.

Table of Contents

Director's Message i

Introduction ii

Hate Crime 1
- Reporting Requirements 1
- Background 1
- Characteristics of Hate Episodes on Campus 3
  - Reactive Hate Episodes 4
  - Impulsive Hate Episodes 5
  - Premeditated Hate Episodes 6

Campus Mediation Services by CRS 8

Preventive Practices 9

Reporting 11

Resolution 13
- Victim Assistance Resources 13

Small v. Large Institutions of Higher Learning 17

Special Considerations 17

Media Relations 18

Long Term Impact 19

National Civil Rights Organizations 20

CRS Customer Service Standards 21

CRS Offices 22

Hate Crime

Definition: A hate crime can be generally defined as a crime which in whole or part is motivated by the offender's bias toward the the victim's status. A hate incident is an action in which a person is made aware that her/his status is offensive to another, but does not rise to the level of a crime.

Hate crimes are intended to hurt and intimidate individuals because they are perceived to be different with respect to their race, color, religion, national origin, sexual orientation, gender or disability. The purveyors of hate use physical violence, verbal threats of violence, vandalism, and in some cases weapons, explosives, and arson, to instill fear in their victims, leaving them vulnerable to subsequent attacks and feeling alienated, helpless, suspicious and fearful. These acts of hatred can leave lasting emotional impressions upon their victims as well as entire communities.

Reporting Requirements

Federal and state reporting requirements vary in the definitions and victim categories for hate crimes. The FBI Uniform Crime Reporting Program(28 USC §534), Campus Security Act(20 USC §1092), state and local hate crimes legislation list specific crimes which are identifiable as a hate crime, including murder, manslaughter, robbery, aggravated assault, burglary, motor vehicle theft, arson, forcible and non-forcible sex offenses, intimidation, destruction, damage or vandalism of property, and other crimes involving injury to any person or property in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim. When they do not fall into one of the listed criminal categories, hate offenses are referred to as bias-motivated incidents. These incidents may include cases of minor harassment, verbal slurs, etc. and be precursors to more serious hate motivated violence.

Background

On college campuses around the country, the competition can be fierce. As a result, students don't always view one another as allies or friends, but sometimes as opponents or enemies with whom they must vie for scarce amounts of success, both in and out of the classroom. Some students regard their minority classmates as the undeserving recipients of financial aid and

compensatory programs--what they believe to be special attention and special treatment. Similarly, some students of color expect to find a racist behind every obstacle to their academic advancement. Moreover, there are some students who resent the challenge posed by a growing presence of successful female students and gay students. And some students resent the increasing number of Asian-American students on campus--all Merit scholarship winners in high school, at least according to the stereotype.

Unfortunately, inter-group conflict can result from the growing diversity among college students. Over the past three decades, there have been increasing numbers of women, blacks, Latinos, Asians, the disabled, international students, as well as gays and lesbians on campuses around the country. In a situation where everyone appears to have more or less the same background--where almost all students are, for example, white, straight, able-bodied, American, male, and Protestant--inter-group conflicts does not become much of an issue. Under conditions of increasing cultural diversity, however, the differences between groups become salient on an everyday basis. For the first time, many students must learn to deal with classmates and roommates who are <u>different</u>.

For most students, whatever their racial identity, college is the first occasion to have extensive contacts with individuals who differ from them in socially significant ways. Because of the pervasive racial and ethnic segregation that characterizes many communities, most students grow up going to school and residing among only "their own kind." Then, they go off to college, where they might meet a broader range of humanity than they have ever encountered.

Of course, the first few months of college represent a particularly stressful and threatening period. It is often the first time away from home; and students are in an environment where they could fail and be forced to leave. For many students, it is difficult to make friends with someone who is different from you when you are terrified of being rejected yourself. Many students therefore react to this extremely stressful situation by seeking companions who are very much like themselves.

The process whereby students, fearing rejection, befriend other students with similar attitudes and similar previous life experiences can have another, more negative consequence. A small number of such students make themselves feel more secure by demeaning or attacking, either verbally or physically, those classmates they believe to be inferior by virtue of that group's

Case Study : An Effective Response to a Hate Incident

At a small four-year college in suburban New England, the administration decided not to tolerate what many would regard as a minor hate incident or merely a "prank," when two female students made an anti-Semitic phone call to Jewish students in another residence hall.

As soon as its administration had confirmed the charges, the college canceled classes for the day and held a mandatory session in the campus amphitheater--an all-day anti-hate program for all students (including the two offenders), administrators, and instructors. Speakers included the college president, a guest expert on prejudice, and a panel of young people representing diverse backgrounds who had been victimized by bigotry. In addition, students viewed one of several feature-length films dealing with hate and violence (e.g., Schindler's List, American History X, etc.). A special committee was formed to create anti-hate posters, which its members placed at strategic positions around campus. The entire effort was designed to send a message: hate is not "cool" and will not be tolerated on this campus! Apparently, it worked. For at least two years, there was not a single hate incident reported to the school's administration. Of course, the small size of the student body (fewer than 500 students) made possible a plenary session which included everyone on campus. At a college or university where thousands of students are enrolled, it might be more difficult, even impossible, for everyone on campus to meet together in the same place. Even at a large university, however, tactics and strategies can be created to assure that the appropriate message is sent to students, faculty, and staff.

background, race, or creed. The very presence of minority students on a campus may give rise to such behavior.

Characteristics of Hate Episodes on Campus

Hate episodes, including those reaching the level of criminal behavior, can be classified in terms of offender motivations into three distinct types identified as reactive, impulsive, and premeditated.

Reactive Hate Episodes

In reactive hate episodes, the hatemongers seize on what they consider as a triggering incident to justify their expression of anger. They rationalize that by attacking someone they regard as an outsider, they are in fact protecting their college, residence hall, fraternity, or group of friends. Indeed, they often cast their victims in the role of those actively threatening them, while they regard themselves as pillars of virtue on their campus.

Moreover, the perpetrators of reactive hate episodes tend to target a particular individual or set of individuals who are perceived to constitute a personal threat--the black student who has just moved into a previously all white dormitory, the white college student who has begun to date her Asian classmate, or the Latina professor who introduces her students to a Latin American perspective. The reactive attack is meant to send a signal not only to the primary victim but also to every member of the victim's group--"you and others from your group do not belong on this campus."

At first, the offense may consist of a relatively minor act--racist graffiti spray-painted on a door or ethnic slurs over the telephone. If the early warning is ignored, however, there often is an escalation of violence consisting of a direct threat to do bodily harm or an actual assault.

The perpetrators of reactive attacks on a college campus are usually not associated with any organized hate group. Typically, they have no prior history of overt bigotry. Their reaction may have a practical basis--they fear losing opportunities for success or advancement. Sometimes the perpetrators react instead to a symbolic loss of "turf" or "privilege"--for example, when "our women" begin to date "them" or when "they" come onto our campus and begin to "take over."

Recent research has identified the initial point of integration as a key to understanding hate violence. According to a 1997 survey conducted by the Klanwatch Project of the Southern Poverty Law Center in Montgomery, Alabama, about half of all racially-inspired acts of vandalism and violence are directed at blacks moving into previously white neighborhoods. More generally, Donald Green and his associates have shown that hate crimes occur most frequently in "defended" white neighborhoods--that is, in predominantly white areas which have experienced an in-migration of minorities.

Given the competitive nature of the workplace, it should come as no surprise that many reactive hate episodes also occur on the job. In their study

of "ethnoviolence at work," sociologists Joan Weiss, Howard Ehrlich, and Barbara Larcom (1991-92) found that 27 percent of all respondents who reported "prejudice-based" episodes experienced them while at work.

The college campus is, of course, the "workplace" for hundreds of thousands of young Americans. Stretching the concept of "defended neighborhood" just a bit, it becomes clear that many college students might easily feel a need to protect their job experiences, social activities, educational opportunities, dormitories, fraternities, and classrooms from members of the much more diverse population with whom they now share their campuses. Thus, reactive hate episodes on campus tend to be committed by students residing in the same college community as their victims.

During recent years, campus hate attacks have apparently become more defensive; that is, they are committed by students in response to a particular student or campus event that they feel threatened by--Gay Pride Week, the first black student in a dormitory, hostilities in the middle-east, and so on. For example, at a large public university on the West Coast, after an unsuccessful attempt by some members of the student government to reduce funding for a minority-oriented campus newspaper, two of its Chinese American reporters received threatening phone calls. Identifying himself only as a member of the Ku Klux Klan, the caller suggested that "something drastic" would happen to them if they did not stop writing for the newspaper. Similarly, a first-year Latin-American student at a prestigious East Coast college found the following anonymous note slipped under her dormitory door after she had complained about her test grade: "Hey S---. If you and your kind can't handle the work here, don't blame it on this racial thing. You are just making our school look bad to everyone else. If you can't handle it, why don't you just get out. We'd all be a lot happier."

Impulsive Hate Episodes

Impulsive hate offenses are committed by perpetrators who are looking for excitement. In the same way that some young men get together on a Saturday night to play a game of cards, youthful hatemongers gather to shout threats and obscenities, destroy property or to assault someone who is different. They look merely to have some fun and stir up a little excitement...but at someone else's expense.

In an impulsive thrill-seeking hate episode, there need not be a precipitating incident. The victim does not necessarily "invade" the territory of the

assailant by walking across his campus or attending classes. On the contrary, it is the assailant or group of assailants, looking to harass those who are different, who searches out locations where the members of a particular group regularly congregate. The payoff for the perpetrators is psychological as well as social: In addition to gaining a sense of importance and control, the youthful perpetrators also receive a stamp of approval from their friends who regard hatred as "hip" or "cool"(Levin and McDevitt, 1993).

In an impulsive thrill-motivated hate episodes, a group of young people typically travels to another area to find victims. Thus, thrill-seekers might travel to a gay bar in the local community or target students at another college as something to do for fun when they are bored on a Saturday night.

It is also possible, of course, for thrill-seekers to focus on their own schoolmates. Just for the "kicks," several sorority members at a university located in the mid-west dressed in Indian costumes and parodied "Indian hollers" outside the Native American Center on campus.

Impulsive hate episodes satisfy the offenders' profound psychological need to feel important and gain a sense of belonging. Therefore, almost any member of a vulnerable group will usually "do" as a target. For example, if impulsive thrill-seekers fail to locate someone gay, they might easily decide to victimize someone who is black or Latino. If they can't find someone black or Latino, they might instead target someone who is Jewish or Asian.

Impulsive offenses tend to be finite in time and space. Inspired by some combination of boredom, hate, and sense of impotence, the offenders set out to have some fun at the expense of their "enemy." Additionally, the use of alcohol and/or drugs frequently become a factor in this type of behavior. Similarly, reactive hate episodes are generally aimed against particular "outsiders"--those who are regarded as posing affront to a perpetrator's campus. As in impulsive thrill-seeking episodes, the defensive attack tends to be narrowly focused and of limited duration. Once the threat is perceived to subside, so does the criminal behavior.

Premeditated Hate Episodes

On occasion, however, hate occurrences go beyond what their perpetrators consider reaction, at least in the narrow sense. Rather than direct their attack at those individuals involved in a particular event or episode--moving into a residence hall, taking a seat at the next desk in a classroom, attending the same party--the perpetrators are ready to wage "war" against any and all

members of a particular group of people. No precipitating episode occurs; none is necessary. The perpetrator is on a moral mission: His assignment is to make the world a better place to live for he and his friends.

Those who perpetrate a premeditated hate episode are convinced that all out-group members are sub-humans who are bent on destroying our culture, our economy, or the purity of our racial heritage. The offender therefore is concerned about much more than simply eliminating a few blacks or Latinos from his college or university. Instead, he believes that he has a higher-order purpose in carrying out his crime. He has been instructed by God or, in a more secular version, by the Imperial Wizard or the Grand Dragon to rid the world of evil by eliminating all blacks, Latinos, Asians, or Jews; and he is compelled to act before it is too late. Premeditated mission hate offenders are likely to join an organized group such as the KKK, World Church of the Creator, or the White Aryan Resistance. The mission motivation is likely to result in the commission of a vicious, even deadly, hate crime.

In July,1999, Benjamin Smith, a former student at Indiana University, went on a shooting spree across Illinois and Indiana. Along the way, he shot and killed a black man who was a former Northwestern University basketball coach; he murdered a Korean graduate student at Indiana University; and he also wounded eight additional people including six orthodox Jews and two Asian Americans. Twenty-one year old Smith was a member of the World Church of the Creator, a white supremacist group based in East Peoria, Illinois. whose leader Matthew Hale preaches that Jews are parasites who control the finances, propaganda, media, and governments of the world, and that blacks and Asians are inferior to whites. The battle cry of the group is RaHoWa meaning racial holy war.

A few perpetrators of premeditated hate crimes operate alone, typically suffering from a profound mental illness which may cause hallucinations, impaired ability to reason, and withdrawal from contact with other people. This type of hatemonger intends to get even for the horrific problems that he has suffered. In his paranoid and delusional way of thinking, he sees a conspiracy of some kind for which he seeks revenge. His mission is in part suicidal. Before taking his own life, however, he attempts to eliminate the entire category of people he is absolutely convinced is responsible for his personal frustrations. There are rare cases in which a depressed and frustrated gunman has opened fire with the objective of eliminating all women, Asians, or white racists (See Fox and Levin, 1994). In 1989, for example,

Marc LePine, after being rejected from the University of Montreal's School of Engineering, first executed 14 female students there and then took his own life. The young killer blamed "feminists" for all of his personal problems.

Increasingly, members of organized hate groups have targeted college campuses as a source of potential new members. For most students, such blatantly bigoted individuals and their organizations are dismissed almost immediately. Unfortunately, however, there are at least a few students who have been effectively persuaded that their personal problems are the result of the actions of a particular group. With the desire to maintain a free exchange of all ideas, many campus representatives have experienced a degree of frustration in arriving at the best way to handle these episodes when they occur.

Campus Mediation Services by CRS

CRS responds to provide mediation and reconciliation services when requested by school officials, faculty, students and law enforcement. Once alerted to potential tensions arising from racial, ethnic or national origin conflicts (jurisdictional mandate) on a school campus, CRS will conduct an assessment to determine if it can provide assistance to resolve the issues in the school community. Without the cooperation of the school and its community of students, faculty, law enforcement, and administration, the process of mediation cannot be initiated.

If all concerned parties are willing to work together to resolve their differences, CRS begins the process with discussions about the existing issues, and the history of race relations on campus. The CRS intervention process will be developed with the participation of all concerned parties on how the issues will be addressed, the selection of representatives, discussion guidelines, and goals for the mediation. These problem solving sessions create lines of communication and partnerships between students and the administration which can become institutionalized.

CRS has been highly successful in mediating school racial issues, all with outcomes designed by the interested parties not the mediator. The work of CRS mediators includes gaining the confidence of the participants; discussions are required by law to be confidential unless waived by the parties.

CRS Case-Study - E-mail Hate at the University of Oregon

Campus episodes can frequently benefit from introducing the perspective and experience of an outside and impartial agency. The Community Relations Service has provided this service to colleges and universities around the country. In May 1999, the University of Oregon experienced racial tensions in the wake of media reports of hate inspired e-mail between students and comments perceived to be racist in classroom debates. Consequently, a campus protest, organized by students of color, resulted in the arrest of 31 students who refused to leave the University administration building after eight hours. The Community Relations Service was contacted and conciliators were then asked to mediate relations between concerned students and the University President. In addition, CRS was available to offer its federal presence to defuse the escalation of tensions and possible retaliation. As a neutral outside agency, the CRS was able to assist in resolving at an informal level a situation that might easily have escalated into a full-blown campus crisis.

Examples of outcomes mediated by CRS include: cultural diversity and anti-bias training for faculty and students, policy positions on hate crimes, development of multi-cultural student centers, student peer group disciplinary panels, college publication guidelines, law enforcement response policies, and victim assistance to hate crime victims.

Preventive Practices

Universities should have a hate crime policy and procedural administration and law enforcement protocol in place to assist campus administrators and law enforcement authorities to react promptly and seriously to all hate motivated episodes.

Prevention policies require that Colleges and Universities take all episodes seriously. Offenders look for the reaction of the community. If their hate attack is ignored, they might easily conclude that other members of the

college community are in sympathy with their bigoted ideology. Response time by the administration is crucial.

The prevention of hate crimes on college campuses requires an integrated approach that begins when a student arrives on campus and extends to include all members of the campus community; students, faculty, staff, campus law enforcement and the administration.

Many colleges have already implemented orientation programs which specifically deal with the diversity new students will encounter on the campus as well as facilitated discussions (often led by upper-class students) dealing with the prevention of racial and cultural conflicts. Follow-up programs

Crime Prevention Model Policy - University of Michigan

"Hate crimes are viewed in the community not only as crimes against the targeted victim, but also as a crime against the victim's group as a whole. Working constructively with segments of this larger audience after such episodes is essential to help reduce fears that stem from possible retaliation, help prevent additional incidents and encourage any other previously victimized individuals to step forward and report those crimes. Towards this end, this department's community relations function, or officers so assigned, shall:

- *Meet with neighborhood groups, residents in target communities and other identified groups to ally fears, relay this department's concern over and response to this and related incidents, reduce the potential for counter-violence and provide safety, security and crime prevention information*
- *Provide direct and referral assistance to the victim and his family*
- *Conduct public meetings on hate threats and violence in general, and as it relates to specific incidents*
- *Establish a liaison with formal organizations and leaders*
- *Expand, where appropriate, existing preventative programs such as anti-hate seminars for school children"*

during the school year assist in reinforcing the administration's policy and position against hate crimes and bias-related incidents.

In addition to broad based prevention programs, each college should have a policy in place specifying how campus authorities should react if a hate crime occurs on their campus. This hate crime response policy should acknowledge that each hate crime has many victims, not only the targeted individuals but other members of that group. This policy should first offer medical attention (if necessary), protection and counseling to the targeted individuals and at the same time deal with the fears and concerns of the entire campus community. The key to any successful campus hate crime policy involves communication to the broadest possible audience in the most timely fashion.

Frequently, the participation of an uninvolved third party can immediately serve to reduce tensions. The Community Relations Service of the U.S. Department of Justice offers both emergency assistance as well as ongoing technical assistance to campuses experiencing bias related tension. This assistance is provided by CRS staff who come to their assignment with substantial experience dealing with the fears and anxiety associated with bias motivated violence.

The University of Michigan policy highlighted below details such a campus wide approach.

Reporting

Numerous hate crimes and bias motivated incidents occur on college and university campuses without ever being officially reported by the victim. In some cases, victims of hate episodes do not report because "they want to put the incident behind them." However, many other victims simply are not aware of, or do not have access to, the proper resources which can offer assistance in an episode of hate. In addition, cultural elements, such as language differences, and a distrust of law enforcement are also barriers to the reporting of hate episodes on campus.

In order to increase the reporting of hate crimes and bias motivated incidents by victims, colleges should establish procedures to make reporting as easy as possible, including the possibility of accepting confidential reports. Confidentiality provisions, such as anonymous reporting, are extremely help-

ful in many cases. For example, a student who is targeted because of perceived sexual orientation may not want to be identified because she has not yet "come out" to her friends and family. Some universities offer e-mail reporting, which has been instrumental in allowing those who are not entirely fluent English speakers an opportunity to express their experiences in written form. Most universities have also provided a number of different offices with the responsibility and resources to accept hate crime reports, i.e. the Dean of Students and the Affirmative Action officer. This has been helpful because students, who have not yet established ties with campus law enforcement, may have already developed a relationship of trust and confidence with officials elsewhere on campus.

Reporting may also be increased when campus police officers represent the diversity of the student body. Students of color, especially on campuses located in predominantly black or Latino neighborhoods, often complain that they are treated with suspicion by representatives of the campus police. In addition, the situation of white police officers confronting a student of color may be perceived as biased, even if it is not. Overall, increasing the diversity of the campus police force, as implemented in many local police agencies across the country, increases its credibility of campus police with students who might otherwise be reluctant to report a hate incident.

One additional element which has proven successful at most universities is to provide victims, in response to an act of hate, with the choice of pressing charges or taking some other action. Alternatives may include school sponsored discussion groups, hate crimes training, and outreach programs. The presence of an alternative tends to alleviate some of the pressures that are perceived to come along with the reporting of a crime, and results in increased campus dialogue and reporting of hate occurrences.

Some, but not all, campus law enforcement agencies are reluctant to get involved in cases where the victim wants to remain anonymous. It is important to note that many campus law enforcement agencies do take anonymous reports which assists the victim in dealing with the aftermath of an incident, allows the agency to offer protection to a member of the community who may be enduring some level of continued harassment, and most importantly sends a message to the entire university community that bias motivated acts of violence will not be tolerated.

Resolution

There are very integral and distinct aspects of a campus-wide response system in the event of a hate crime or bias motivated incident. However, the notion of a "team approach" should set the foundation for all university efforts. Successful practices of some universities include the following procedures.

After the initial reporting takes place, the ability of the response teams to ensure the rapid and accurate collection of data and evidence has been key to the investigation and resolution of many cases. By taking immediate action on hate occurrences, the entire campus becomes aware of the severity of such acts and the university's intolerance for them. For example, if hateful graffiti is found on a college campus, it is in the best interest of the university to collect all evidence at the scene, including photographs, and then promptly clean up the damage to prevent any further hateful activity or retaliation. In a number of campus hate crimes, the existence of accurate evidence collected at the scene has been crucial in the ultimate prosecution of the purveyors of hate crimes and bias motivated incidents. The collection of photographs and the use of video cameras and voice recordings, have proven effective in identifying hate crime perpetrators.

At many institutions it has been useful to designate one member of the campus law enforcement staff to handle hateful activity. This responsibility is primarily given to someone who has been adequately trained in the area of hate crimes and bias motivated incidents and understands the importance of confidentiality, sensitivity and victim assistance. While this designated officer may have many additional responsibilities, having one officer who identifies hate crime activity as her/his responsibility reduces the likelihood that incidents will be ignored or that the response will fall short by the campus response policy.

Victim Assistance Resources

Victim assistance is one of the most important aspects of any hate crime and bias motivated incident response policy. Support should be made available to all victims of an incident whether they were directly of indirectly involved. Victims of hate occurrences need to be assessed both physically and emotionally. As hateful activity can tarnish an entire community, the victim's family and surrounding neighborhood should also be included in the

Victim Assistance Guidelines

Victims of hate crimes often experience feelings of shame, anger, fear, frustration and confusion. In helping the victim and surrounding community deal with the aftermath of a hate occurrence remember the following three points:

- Conduct a physical evaluation performed by medical physicians.
- Conduct an emotional evaluation performed by counseling services.
- Offer peer, community and university support resources.

healing process. In first approaching a hate crime or bias motivated incident, it is important to understand that although an occurrence may appear to be minor, the long term emotional impact upon the victim and the campus community may be immense.

While there is a variety of resources for victims of hate crimes and bias motivated incidents, some particularly helpful organizations that may be found on-campus include counseling centers, campus law enforcement, health services, cultural diversity advocacy groups, student groups, academic advisors, affirmative action offices, employee assistance programs, faculty and friends. Off-campus resources include local law enforcement, human rights associations, religious groups and institutions/churches, domestic violence shelters, state and county bar associations, the U.S. Department of Justice, and in particular the Community Relations Service, U.S. Attorney Hate Crime Working Groups, and civic groups such as the Anti-Defamation League, or the NAACP. In some cases an external group with experience dealing with these kind of cases, such as CRS, may be particularly effective because it is not part of any ongoing campus conflict that may surface in the aftermath of a hate motivated incident.

Model Reporting Procedure - University of California, Berkeley

Upon receipt of a reported Hate Motivated Crime or Incident, the Public Safety Dispatcher will:

1) *Notify the Division Commander immediately if on-duty*
2) *Dispatch a field unit as soon as reasonably practical, based on the nature of the call*
3) *Notify the Patrol Sergeant of the reported incident*

When a Patrol Officer responds to a reported Hate Motivated Crime or Incident, the Officer will:

1) *Apprehend the perpetrator(s) if applicable*
2) *Request that a Patrol Supervisor respond to the scene*
3) *Render assistance and comfort to the victim*
4) *Conduct a thorough preliminary investigation consistent with Department Policies and Procedures, including evidence collection and photographs when applicable*
5) *Provide assistance to the victim and/or referral to the appropriate legal or service agency*
6) *Provide relevant forms to the victim, i.e. "Victims of Violent Crimes" form*

The Patrol Supervisor, upon being notified of a possible Hate Motivated Crime or Incident, will:

1) *Respond to the scene, interview the Patrol Officer, and confirm whether or not a Hate Motivated Crime or Incident has occurred*
2) *Take whatever steps are necessary to ensure that the situation does not escalate*
3) *Render assistance and comfort to the victim*
4) *Supervise the preliminary investigation*
5) *The Supervisor will notify the Patrol Captain (if on-duty) or On-Call Captain, as appropriate*
6) *The Supervisor will notify the on-duty or on-call investigators, as appropriate*
7) *The Supervisor will see that a Patrol Incident Form is filed in addition to a police report*

The investigator of the Criminal Investigations Bureau will:

1) *Conduct a thorough follow-up investigation consistent with Department Policy and procedure including personal contact with victim(s)*
2) *Keep the Captain informed of the progress of the investigation*
3) *Prepare the case for prosecution in court*

Case wrap-up will include:

1) *A member of the Senior Staff to be designated to serve as the liaison between the Department and community, religious, and civic leaders, as appropriate*
2) *The Investigative and Support Service will ensure all necessary follow-up investigations are completed and shall brief the Chief regularly on the status of the investigations. He/she will also ensure that all Hate Motivated Crime or Incident statistics are reported in accordance with state and federal law"*

BEST COPY AVAILABLE

Important Questions During Initial Investigation - Stanford University

- *"Did the crime occur all or in part because of racial, ethnic, religious, gender, disability, or sexual differences between the persons or for other reasons?*
- *Has the victim or victim's group been subjected to repeated attacks of a similar nature?*
- *Is the victim the only minority group member in the neighborhood, or one of a few?*
- *Did the victim recently move into the area: is the victim acquainted with neighbors an/or local community groups?*
- *When multiple incidents occur at the same time, are all victims of the same race, ethnicity, religion, gender, disability or sexual orientation?*
- *Has the victim been associated with recent or past activities relating to his/her race, ethnicity, religion, gender, disability or sexual orientation? (i.e. gay rallies, demonstrations holiday celebrations, conferences, religious meetings, etc.)*
- *Did the incident occur on a holiday or other day of significance to the victim's group or offender's group?*
- *Has there been prior/recent news coverage of events of a similar nature?*
- *What was the manner and means of account: i.e. the color of paint initiated or contributed to the act, could the act be retribution of some conflict with neighbors, juveniles, etc.?*
- *Is there an ongoing neighborhood problem that may have initiated or contributed to the act (i.e. could the act be retribution for some conflict with neighbors, juveniles, etc.)?*
- *Does the crime indicate possible involvement by an organized group? For example: Is the literature printed?*
- *Does the name signify a "copy-cat" syndrome? Is there documented or suspected organized group activity in the area?*
- *Are there other possible motivations for the attack?"*

BEST COPY AVAILABLE

Small v. Large Institutions of Higher Learning

The response capabilities of institutions vary primarily because the resources available to assist victims and investigate crime also vary widely. Large institutions tend to have more substantial resources than smaller institutions, and are, thus, more capable to respond to hate crimes and bias motivated incidents with less external support. However, even though resources for small universities may be limited, there are still pro-active measures that can be taken to ensure adequate response to hate crimes in any college setting. Among these are the formation of hate related policies, student awareness and training in rapid response to hate incidents, cooperation agreements with local law enforcement, and similar agreements with victim support agencies located in the community. Hate crime victims experience similar reactions and have similar needs for support regardless of the size of the campus.

Special Considerations

College communities are increasingly large diverse communities that include individuals with many different ideologies and experiences. Occasionally, campus staff members may fail to adequately implement the colleges' hate crime response policy. To prevent such failures, it is imperative that the university leadership, including the university president, have a strong public position in support of the university's hate crime response policy. Such action by those in leadership positions, demonstrates a commitment to preventing and resolving racial conflict and promoting a more racially harmonious campus environment.

The reluctance of many universities to take disciplinary action against the perpetrators of hate offenses poses another obstacle. Often, the lengthy investigation of hate crimes or bias motivated incidents can deter the institutions from taking a timely disciplinary stance. Once the perpetrators are identified, there are frequently varying degrees of participation and culpability among the students. Determining appropriate punishment for each of those involved can take substantial time. These delays may cause resentment to build and tensions to rise from victimized students and groups against

campus administrators. In order to avoid such occasions, universities have emphasized the importance of timely and sensitive investigations, which result in appropriate disciplinary actions without undue delay.

International students also offer a different series of challenges to an effective campus hate crime response policy. Many foreign students may not be aware of their legal rights as a visiting student in the United States, leaving them reluctant to report any harassment or other criminal actions directed at them. Based on experiences in their native countries, some international students carry with them the fear of and animosity towards all law enforcement. In order to relieve some of these issues, many universities include staff from the International Students Office in their hate crime response team and have trained the International Students Office Staff to respond to a hate crime or bias motivated incidents that may come to their attention. This has proven to be effective because of relationships that have been developed between the foreign students and the university's administration.

Media Relations

Dealing with the media in times of racial tension on campus is quite complex. Many college officials would prefer to keep these episodes "quiet" to protect others who might feel intimidated if they became aware of the episode, or to prevent a tarnishing of the institution's reputation. This course of action is seldom successful and can often make the situation worse. Rumors, often full of misinformation, circulate across the campus and may cause some students to feel that if the university is not going to do anything, they should take matters into their own hands. A media policy that allows the university to provide accurate and timely information about the episode to the community should be an integral part of any campus response policy.

A key aspect of maintaining good relations with the press is the establishment of relationships with campus and off-campus reporters and editors before an episode occurs. This will facilitate communication and the factual reporting of episodes during the stressful atmosphere that often follows a campus hate crime. If the media are aware of the campus response policy and feel that the university will provide information to them once it is verified, they will be more likely to act in a supportive and responsible manner.

While most universities agree that one university representative should be designated to speak with the press in order to minimize confusion. Some universities have also found it helpful to incorporate students and local community representatives into their media relations' policy.

Long-term Impact

Hate crimes are among the most likely offenses to create or exacerbate tensions, which can trigger larger community-wide racial conflict, civil disturbances, demonstrations and even riots. Hate crimes can have a particularly detrimental effect upon college and university campuses. The negativity that comes with such hate motivated occurrences can impact the reputation of educational institutions, encouraging prospective students and faculty to look elsewhere. Ultimately, the diversity levels of universities which have experienced hate, may decline both within their student and faculty populations.

Hate crimes and bias-motivated incidents are also damaging to the campus environment where the free and open exchange of ideas is essential. If students fear retaliation for comments they make in class or in a casual conversation, the richness of the academic experience is significantly reduced. Campus administrators must create an atmosphere where all ideas and perspectives are respected and intellectual disagreements do not result in violence.

Similarly, college campuses are part of the broader community in which they are located. Hate crimes committed on campus, or near campus, strain the relationship between the college and the local community. Local residents fear that a rise in racial tension may cause their community to be labeled as intolerant and, thus, at-risk for serious social and economic consequences. Students may become afraid to interact with community neighbors fearing that they may become targets. To combat the negativity that may come about as a result of such hate occurrences, some communities have found themselves uniting with their local colleges and universities to fight the battle against intolerance. Many neighborhoods have formed support groups and networks that participate as part of the college response system and have contributed to the healing of entire communities after encountering a hate occurrence.

National Civil Rights Organizations
With Hate Crime Resources, partial listing

Anti-Defamation League
823 United Nations Plaza
New York, NY 10017
(212) 490-2525
www.adl.org

Human Rights Campaign
919 18th St. NW #800
Washington, DC 20005
(202) 628-4160
www.hrc.org

Leadership Conference on Civil Rights
1629 K St., NW #1010
Washington, DC 20006
(202) 466-3311
www.civilrights.org

NAACP
National Headquarters
Legal Department
4805 Mt. Hope Drive
Baltimore, MD 21215
(410) 358-8900
www.naacp.org

National Asian Pacific American Legal Consortium
1140 Connecticut Ave, NW #1200
Washington, DC 20036
(202) 296-2300
www.napalc.org

National Council of La Raza
1111 19th St. NW #1000
Washington, DC 20036
(202) 785-1670
www.nclr.org

NOW Legal Defense and Education Fund
1522 K St., NW #550
Washington, DC 20002
(202) 326-0040
www.nowldef.org

Customer Service Standards - Community Relations Service

Our goal is to provide sensitive and effective conflict prevention and resolution services. CRS will meet the following standards:

- *We will clearly explain the process that CRS uses to address racial and ethnic conflicts and our role in that process.*

- *We will provide opportunities for all parties involved to contribute to and work toward a solution to the racial or ethnic conflict.*

- *If you are a participant in a CRS training session or conference, you will receive timely and useful information and materials that will assist you in preventing or minimizing racial and ethnic tensions.*

- *We will be prepared to provide on-site services in major racial or ethnic crisis situations within 24 hours from the time that your campus notifies CRS or CRS becomes aware of the crisis.*

- *In non-crisis situations we will contact you to discuss our services within three days of when your campus notifies CRS or when CRS becomes aware of a related situation.*

CRS Headquarters, Regional and Field Offices

Headquarters Office
Director: Rose M. Ochi
600 E Street, N.W., Suite 2000
Washington, D.C. 20530
(202) 305-2935
(202) 305-3009 (fax)

Regional Offices
and States within each Region

Region I - New England
408 Atlantic Ave., Suite 222
Boston, MA 02110
(617) 424-5715
(617) 424-5727 (fax)
Servicing: CT,MA,ME,NH,RI,VT

Region II - Northeast
26 Federal Plaza, Room 36-118
New York, NY 10278
(212) 264-0700
(212) 264-2143 (fax)
Servicing: NJ,NY,PR,VI

Region III - Mid-Atlantic
2nd and Chestnut Streets, Room 208
Philadelphia, PA 19106
(215) 597-2344
(215) 597-9148 (fax)
Servicing: DC,DE,MD,PA,VA,WV

Region IV - Southeast
75 Piedmont Avenue, NE, Room 900
Atlanta, GA 30303
(404) 331-6883
(404) 331-4471 (fax)
Servicing: AL,FL,GA,KY,MS,NC,SC,TN

Miami Field Office - Region IV
51 SW First Avenue, Room 624
Miami, FL 33130
(305) 536-5206
(305) 536-7363

Region V - Mid-West
55 West Monroe Street, Suite 420
Chicago, IL 60603
(312) 353-4391
(312) 353-4390 (fax)
Servicing: IL,IN,MI,MN,OH,WI

Detroit Field Office - Region V
211 West Fort Street, Suite 1404
Detroit, MI 48226
(313) 226-4010
(313) 226-2568 (fax)

Region VI - Southwest
1420 West Mockingbird Lane, Suite 250
Dallas, TX 75247
(214) 655-8175
(214) 655-8184 (fax)
Servicing: AR,LA,NM,OK,TX

Houston Field Office - Region VI
515 Rusk Avenue, Room 12605
Houston, TX 77002
(713) 718-4861
(713) 718-4862 (fax)

Region VII - Central
1100 Main Street, Suite 1320
Kansas City, MO 64106
(816) 426-7434
(816) 426-7441 (fax)
Servicing: IA,KS,MO,NE

Region VIII - Rocky Mountain
1244 Speer Blvd., Room 650
Denver, CO 80204-3584
(303) 844-2973
(303) 844-2907 (fax)
Servicing: CO,MT,ND,SD,UT,WY

Region IX - Western
888 South Figueroa Street, Suite 1880
Los Angeles, CA 90017
(213) 894-2941
(213) 894-2880 (fax)
Servicing: AZ,CA,GU,HI,NV

San Francisco Field Office, Region IX
120 Howard Street, Suite 790
San Francisco, CA 94105
(415) 744-6565
(415) 744-6590 (fax)

Region X - Northwest
915 Second Avenue, Room 1808
Seattle, WA 98174
(206) 220-6700
(206) 220-6706 (fax)
Servicing: AK,ID,OR,WA

28